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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,770	03/31/2001	Anil K. Annadata	M-11405 US	6431

33031 7590 02/24/2005

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AUSTIN, TX 78759

EXAMINER
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NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/823,770

Applicant(s)

ANNADATA ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Response to Amendment***

2. Applicant's amendment filed on December 28, 2004 has been entered. Claims 1, 13, and 23 have been amended. No claims have been cancelled. Claims 33-41 have been added. Claims 1-41 are still pending in this application, with claims 1, 13, and 23 being independent.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 13, and 23 recite "...a type of communication media the agent **can** access". First of all, "can" is not a positive limitation. Secondly, it is unclear what "the agent **can** access" means. For example, agents designated to use fax only "can" still access a telephone or e-mail.

### ***Claim Rejections - 35 USC § 103***

5. Claims 1- 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dilip et al. (U.S. Patent 6,704,409).

Regarding claims 1, 13, and 23, Dilip et al. teach maintaining real-time data for multi-channel communication queuing (abstract and col. 2, lines 24-37); forming a list of agent data depending on area of expertise (col. 5, line 67 through col. 6, line 3); a relationship between an agent and a type of communication media that allows interaction between an agent and a customer (col. 5, lines 9-21). For example, an agent handling only telephone call transactions may only use a telephone without requiring a computer; an agent handling only e-mail messages may require a computer system, but not a telephone.

However, Dilip et al. do not explicitly suggest forming a list of agent data based on a relationship between an agent and a type of communication media the agent access.

In the customer service center, agents grouped together based on type of devices the agents may utilize as necessary for load balancing. This is the obvious (if not inherent) way to operate a customer service center. This is the nature of the customer service center.

Regarding claims 2, 14, and 24, Dilip et al. teach the data includes information related to the agent's skills (col. 5, lines 12-21 and col. 6, lines 1-3).

Regarding claims 3, 15, and 25, Dilip et al. teach maintaining a list of media route (col. 5, line 45 through col. 6, line 28).

Claims 4-6 recite the language "at least one of..." and therefore only one element is needed to be addressed. For example, compiling statistic of the media routes or for a communication channel of a specific media type including at least one of:

waiting time during a period, handling time during a period (col. 11, lines 58-60), number of abandon requests, longest waiting time, percentage of available agent, number of work item, and number of work items delivered to an agent, the statistic of the media routes may only have number of work items delivered to an agent.

Similarly, claims 16-18 and 26-28 recite the language "including at least one of" percentage of available agent / availability percent (col. 12, lines 10-12).

Regarding claims 7, 19, and 29, Dilip et al. teach compiling at least one of: the route for the work items (Fig. 2 and col. 6, lines 49-58).

Regarding claims 8, 20, and 30 Dilip et al. teach assigning a priority value to the media routes (abstract, lines 8-10, col. 6, lines 29-38, and col. 7, lines 42-49).

Regarding claims 9, 10, 21, 22, 31, and 32, Dilip et al. do not teach setting a maximum number of queued items for the media routes and a time for escalating a work item. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the mentioned above feature into Dilip's system in order to better manage the customer service center.

Claims 11 and 12 are rejected are rejected for the same reasons discussed above with respect to claim 1. Furthermore, Dilip et al. teach controller 11 that contains computer instructions to implement the method of these claims (col. 15, lines 20-31).

Regarding claims 33, 36, and 39 Dilip et al. teach each relationship corresponds to a different type of communication media (col. 4, lines 17-41).

Regarding claims 34, 37, and 40 Dilip et al. teach corresponding status of the agent with respect to each communication media (col. 2, lines 10-14).

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Regarding claims 35, 38, and 41 Dilip et al. teach corresponding status of the agent is maintained in real-time (col. 13, lines 30-40).

***Response to Arguments***

5. Applicant's arguments with respect to claims 1-41 have been considered but are moot in view of new ground(s) of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

qhn

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Quynh H. Nguyen  
February 22, 2005

  
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